#### INDIANA LEGISLATURE.

[Omissions and curtailments of this repor for want of space in these columns will appear i an appendix to Volume XXII of the Brevier Legislative Reports.]

IN SENATE.

FRIDAY, Jan. 23, 1885-10 a. m.

CONSTITUTIONAL CONVENTION. Lieutenant Governor Manson said: The Senator from Posey has the floor on the

special order. Mr. MAY: I think the question of calling a Constitutional Convention has been settled in a way binding upon a majority of the members of the General Assembly. In a country of this kind, where all our State and National Governments are dissimilar in many respects to the Government of Eagland, I should regret to see our country retrograde by adopting the institutions of England. For instance, I hope it will never come to pass in this country that representstives shall be elected from districts out of which they reside, as members of Parliament are elected. While the Senator from Wayne [Mr. Foulke] in many of his arguments is in advance of the times, in other propositions he is behind the times. For instance, he is in advance of the times when he urges that there ought to be a provision in the Constitution for woman suffrage. Hi

model Government of England has neve attempted to go so far as that.

Mr. FOULKE (interrupting): Is the Senator not aware that in England women are entitled to vote in all municipal elections?

Mr. MAY: Women in this State are allowed to vote in district school meetings, but not in matters of National importance.

And I am opposed to following the civil service system of the English Government. and their tenure of office is not to be perpetual. I can see but two or three argu-nents urged by the Senator from Wayne in favor of his bill for a Constitutional Conven-tion. You might engraft into a new Consti-favor of calling a Constitutional tution a prohibitory amendment, but unless the people elect Legislatures in accord with eral Assembly has acted under the new provisions of the Constitution in regard to fees and salaries? The same thing may be said of woman's suffrage were a Constitutional provisions enacted. On these propositions the Senator is in advance of the times. The question of calling a Constitutional Convention has been settled by the people at the polls, and I think the people's voice paramount to the Legislature. I don't care how plausible the arguments are in favor of it, if the people are against it we ought to stand by the people, who have voted against it. It is the duty of every Democratic Sanator. who reprents a Democratic constituency, or who is identified with the party, to vote against the bill calling this Constitutional Convention. The only question is what is the sentiment of the people of Indians, and having found that out, it is our duty to abide by it. For that reason I propose to vote against this bill. I know my people are opposed to it, and that is about the only resson I have for saying what I have said. I believe it is the duty of Senators to place Mr. MAGEE: The post on the two po-

litical parties find themselves in shows with what facility we can change our opinions opon important questions. Four years ago Democratic members favored the calling of a Constitutional Convention, but the Republican members, and they were in the majority, opposed it. Two years ago, with that facility which has always characterized that party for changing its front, it favored the carling of a Constitutional Convention and the Democrats opposed it. In the last campaign it was a direct issue made with the people, and upon that there has been a judgment. This argument for a convention is like the argument of an attorney who, after judgment, insists there has been some error in the judgment and wants to reopen it. On this side we are assured we have the commendation of the people. The people of Indiana, by over 21,000 majority in a vote of nearly 500,000, have declared they do not want a Constitutional Convention. While I agree with the Senator from Wayne (Mr. Foulke) in a great many propositions he stated yesterday, there are a great many in which I disagree. I never thought we needed a Constitutional Convention. The framers of that instrument wisely put upon it a provision that will meet every demand the progress or development of the State

may require.

If the material progess and development of the State should make a new demand npon the people, and if the Constitution don't quite cover these new interests, we can propose by action here in the General Asrembly such amendments as will meet the immediate and necessary want. This Constitution was made two generations ago. At that time there was no corporation wealth scarcely in the State, and as yet no. one has complained that the provisions of this instrument are not equal to any emergency in relation to the care of those great interests.

I don't see any good result that can come from calling a Constitutional Convention. The people are familiar with our present Constitution, and the practice and forms under it which have been maintained for the past thirty-three years, and if we wipe out this old instrument under which we have progressed from a people of less than 100,000 to over 700,000, we might enter upon radical reforms which would take another generation to settle.

Now I wish to call the attention of the Senate to a question of dollars and cents. I had a statement prepared for me by the Auditor of State, and while I would not base the calling of a Constitutional Convention upon a mere money consideration, yet I think that ought to have some weight with members of this General Assembly. The comparative cost of a Constitutional Convention, which I do not believe is one of the demands of the hour, is \$162,750. We have already torn out some of the barbarisms of the present Constitution, and I hope it will be left to a Democratic Legislature to strike out the word "black" where it occurs in the Constitution, as the crowning act of the Democratic party. I think I am as liberal in my political views as any Republican I ever met. I believe in the broadest liberty to every man. I believe every man in this country ought to have the protection of the law, no matter what his social condition or what the color of his skin. The senior Senator from Marion has introduced a bill to abolish all those old landmarks of

new. [Laughter.] I don't want to see a centralized Government, such as is advocated by the Republicen party. That party wants to make a stronger Government; it insists that wealth ought to be represented in the legislative

our Constitution forbids that.

the brightest men that ever lived in the State drew that portion which gave to us our matchless school system providing for the education of the children of the State. To Mr. Owen, one of the advanced thinkers, as he was termed, is due the credit for that act; and all subsequent legislation has been ow-ing to the intelligence and morality of the Democratic party.

The Senator from Wayne desires to apply some of the precedents established in Eng-

land to our own forms of government. While I believe some of them are valuable, yet, nevertheless, some of them could not be applied here with the same good results they have there. Our financial, social and political conditions are entirely different from those of England, and we can't trans-plant their political ideas here and expect them to grow and flourish. England has no written law. She has a law that has grown up by custom. It is different with us. Our laws are written, and those laws are a guide for our people in their social, political and other conditions. I don't want to see new and strange methods introduced into the and strange methods introduced into the common polity of this State. I don't want to learn too fast. I believe in holding as much power in my hand as I possibly can, when I give back to the State a part of my personal liberty and right for the protection she gives to me.

Mr. FOWLER: I demand the previous with this demand I believe the license pro-

Mr. FOULKE: It seems to me it would only be fair, where an attack has been made on the Republican party and where reference has been made to my position personally, that I should be allowed, say five or ten minutes to answer.

Mr. FOWLER: For the purpose of allowing the Senator from Wayne to answer anything he considers personal, I with iran the demand. Lieutenant Governor MANSON: I am

glad be has withdrawn it. Mr. McCLURE: I would like to see the opposition given a chance to present them-selves as favorably as they can in reference to this matter. You may have noticed that most of the Senators who have jumped on that the people are sovereigns—that they crats and I want him and our Republican brill their tenurs of officers from time to time, brethren in favor of a Constitutions is yention to have a chance to present them- of education. The amendment means to selves as favorably as they can before the knock it out of politics. I have heard no

Mr. FOULKE: As to the argument in faver of calling a Constitutional Convention, the Senator from Huntington [Mr. Hilligase] that provision, no such legislation would be enseted. Can you show me when the Gensaid yesterday that there were only three or ment. There are no less than eighteen, and not one of them has been answered by any Senator upon this floor. Not in one instance in which I have shown the Constitution needs revision has there been any argument in denial of that fact. We are told that Indiana has grown splendidly under the pres-ent Constitution, therefore we should leave it be as it is. That argument is like attributing the prosperity of the United States to the coinage of silver, to the tariff, or to a free trade policy, or to things of that kind. The growth of Indiana has been not in consequence of the Constitution, but in spite o it. These things reach beyond the law. I is in spite of restrictions imposed by the Constitution that we have grown and will continue to grow whather we call a Constitutional Convention or whether we don't. We may do something to accelerate this progress, or we may do something to retard t. We should give the people more power. We should trust the people more.

The Senator from Gibson (Mr. MaDallough), said that some of the provisions I have pointed out as needing amendment or ravision have been established since the adoption of the Constitution. Does that show that they are proper, or that they should not be abrogated? He says we don't need a new Constitution to aid the railway interests, and that railroad men are demanding a new Constitution in furtherance of their interests. That is hardly a fair argument. Nobody has said it is to further railroad interests that a new Constitution is demanded. On the contrary, it is because the railroads and other corporations have grown to such gigantic proportions; it is because wealth has been consolidated in few roads, and because it wields a mighty power, that there is need to protect the people against that power. That is why a new Constitution is desirable.

It is said that that I desire to see a Constitution in which prohibition and weman's suffrage may be maintained. Whatever may be my personal views on either of these questions, my desire is that the people of the State shall have an opportunity to determine whether the right of suffrage shall be as broad as the world and as free as the air we breathe, and that the people shall have the right to determine upon regulations for the liquor traffic in their respective towns and townships. And the best way to do that is to submit these propositions to the people in separate provisions by a Constitutional Cenvention.

It is said that I am bringing my models from England; that sometimes I am in advance of the times, and at other times behind. I recognize that there are institutions in England which would be a curse to transplant in this country, but whenever I find anything that is good, whether it be in Hindoo, China, or Japan, I am willing to adop:

Mr. FOWLER: I now renew the demand for the previous question.

The Senate seconded the demand, and under its operation the motion to substitute the minority for the majority report was re-

Mr. WILLARD, explaining his negative

jected by yeas 16. nays 29.

vote, said: For twelve years, with varied experience in both branches of the Legislature. I have always favored the calling of a Constitutional Convention. I believe, per sonally, that the interests of the State require it. I believe that Section - in Article 1 of the Constitution will prohibit, as long as it stands, the enactment of a proper feand salary law in this State. I concedthe necessity, at no distant day, for a new Constitution, but thlast State Republican Convention saw fit to throw a sop to the prohibitionists by declaring in favor of a Constitutional Convention, with the quiet intimation given that the Constitutional Convention, if it came into Republican hands, would let the people have the question of prohibition submitted to them upon that point by 21,000 majority. The people have decided, and, therefore, I yield my personal views to the idea of party policy, believing that no minority of a party is as wise as the majority. I vote "No." The minority report, recommending in-

HOUSE OF REPRESENTATIVES.

definite postponement of the bill, was con-

curred in without a division.

FRIDAY, Jan. 23, 1885-10 a. m.

ABOLITION OF THE COLOR LINE. Mr. TAYLOR, from the Committee on Rights and Privileges, returned Mr. Town-Bourbonism, if that is what you please to call | send's bill (H. R. 99) to abolish all distincit. The people have decided that old things | tions of race and color with a recommendaare passed away and all things are to become | tion that it be indefinitely postponed. Mr. GOODING moved that it be recommit-

Mr. TOWNSEND: I am decidedly interested in that bill. I am interested in it all Mr. TOWNSEND: I am decidedly interested in it all the school districts where these children are the more because it does not affect only the in asylums, whether in the Poor House or 42,000 colored people in this State, but it halls of this country, and for years men have affects a large class of white citizens as well, taken their merchandise into the halls of | and before the recommitment of that bill I | missioners when in their judgment it is Congress. Not so in the State of Indiana; should be very glad to be favored with the necessary, to make provision for the educaor Constitution forbids that.

Opportunity of making some remarks in tion of pauper children.

It was a Democratic Convention that reference to the bill, and I think I would be The amendment was agreed to, and the

colored people of this State are discriminated

Mr. BROWNING: I can not see any reason why this bill should be recommitted. The only light the colored people do not possess is the right to be members of the State Militia. That is a constitutional provision which can not be reached by a bill of this character. The only right which is not already granted is the right of amalgamation, and I am opposed to giving them that

right.
Mr. TOWNSEND: That is just the attitude I assume upon this question. I take the position that the law as it now stands does, discriminate, both against the white and black.

The motion to recommit was agreed to.
Mr. McHENRY'S bill [H. R. 5] to provide for the election of County School Superin-tendents at the general election in 1886, and that they first secure a teacher's license from the State Board of Education, was reported back with an amendment that the time of the first election be in 1887.

The amendment was rejected.

posed would be one of the highest incentives that was ever offered to any young man to press forward and secure it. We would find in every county in the State ten, fifteen or twenty young men applying for this license.
Mr. PATTON: I think the amendment offered by the gentleman from Tippecanoe is nothing more than fair, and should be

adopted. Mr. FRENCH offered a substitute striking out all referring to the qualifications of the County Superintendents. He said: I have had some experience as a County Superin-tendent, and I have had the pleasure of knowing a good many County Superintend-ents of this State. The gentleman [Mr. Smith] seems to think we need a bili requiring County Superintendents to have particular qualifications. I think the County Superintendents now are of a high standard, and that they are constantly raising the standard clamor from the people on this subject; I have seen no memorials requesting that the County Say erintendents be specially quali-fied, and I don't think the people are de-

Mr. LO1 D: I have the good fortune to represent a county that has always been competent, under the existing laws, to select her own County Superintendents. I belong to a county that ranks among the first counties of the State in educational interests. Our County Superintendents have been taken from among the teachers of the county. They have given satisfaction, and we have always been equal to the emergancy and have elected good ones. Therefore I shall oppose any class of legislation that will put a restraint upon the people of any county telling them what kind of a superintendent they shall have. Under our present laws Indiana has advanced to the position as foremost State in the Union in education. Therefore our system is and must be a wise one, and I shall always oppose any bill which shall compel a County School Superintendent to have a special professional

Mr. WILSON: I hope the substitute of the gentleman from Posey [Mr. French] will not pass. While much has been said on the common school system, it does seem to me a little strange that teachers in the common schools who are now compelled by law to be examined before entering the school, are compelled to be examined by men who are not fitted for that position by education.

Mr. McMULLEN: I thank it is a recognized fact that the different professions are always reaching out for more power. We find the doctors, the lawyers and the school teachers continually reaching out for more power and, taking it away from the people. We never hear of a court of limited jurisdiction; doctors and school teachers are similar in that respect. I am opposed to delegating the rights of the people to a few men. The people have a right to say who shall be their Superintendent as much as any other body has to appoint their own officers. Our school Superintendents rank with the school Superintendents of any other State. The people are not going to elect anybody who don't know anything of the duties or is not fitted for the office of County School Superintendent. I am in favor of the substitute. The substitute was adopted, and the bill was ordered engrossed for the third reading.

AFTERNOON SESSION.

PAUPER CHILDREN.

Mr. Deem's bill [H. R. 39.] to authorize County Commissioners to make provision for psuper children, coming up on the second reading with a favorable report thereon-Mr. TAYLOR moved that the Superintendent of County Asylums be required to send the pauper children to school.

Mr. ADAMS: I don't think this is a wise motion. If the Superintendent of County Asylums would do this he would overflow all the public schools in that vicinity. 1 would be an unjust burden on the schools.

Mr. HARRELL: There is a law upon the

statute book which requires the Board o Commissioners of each county to see tha all the children in these poor asylums, of sound mind, be put in the charge of a matron and be provided with a house and lot, and that she has to see that they are properly sent to the county schools of the county. The law as it now stands on the statute book fixes a home for the pauper children. I think the amendment to th law is unnecessary, therefore I am opposed

Mr. DITTEMORE: I find this trouble in the county where I live: That we have not a sufficient number of pauper children to require the employment of a matron. I expect this is the condition of half of the counties in the State. Therefore, I am in

favor of the amendment. Mr. TAYLOR: This amendment was instigated simply by what I was informed to be the condition of things in my own county. I have prepared my amendment to cover those wants. As the gentleman from Owen has said, we know that Superintendants of the county poor have only two or three or four children under their charge. and a county does not care to go to the expense of building asylums for so few children. The children are only there for a few months, and where is the necessity of making the county build asylums for taking care of only twofor three or four children? This amendment is to require the Board of Commissioners to compel these Superintendents of County Asylums to do their duty. In our county it is a growing shame that this has not been done. It has been remarked that the children have school privileges. That is true when they have guardians or parents who are human. But this amendment is for the protection of children who have no parents or guardians or protectors. Mr. DEEM: Gentlemen are laboring under a misapprehension as to what this bill under the care of a matron. The whole

object is to authorize the Boards of Com-

THE RICHARDSON ZOUAVES.

Proposal to Hold a Military Fair-Call For a Ladies' Meeting.

The Richardson Zouaves and Indianapolis Light Artillery began two years ago to take steps toward building an Armory, and through many discouragements they have persevered and will soon have the main building completed. It has been decided to held a military fair for a week as soon as the armory is finished. There has been a great deal of correspondence with individuals and institutions having collections of war relies. giving the committee in charge the greatest encouragement. It is proposed to obtain from these sources many interesting and curious exhibits to add to the attractions of the fair. The ladies of the city have already taken steps to assist in the matter, and the names of those who have already promised their support to the undertaking are a sufficient guarantee that the fair will be a grand success. The ladies are interesting themselves in the matter and have issued the following call:

The ladies of the city are invited to meet the Ladies Committee at Pfafflin's Hall, North Pennsylvania street, Monday, January 26, at 2:33 p. m., to arrange for a military fair on the occasion of

the opening of the new armory.

MRS. JOHN A. BRADSHAW,

MRS. E. B. MARTINDALE,

MRS. J. R. CARNAHAN, MRS. JOHN C. WRIGHT, MRS. O. W. JOHNSTON, MRS. A. B. MANSON, MRS. B. A. RICHARDSON, MRS. J. A. CLOSSER, MRS. S. K. FLETCHER,

Supreme Court, The following cases were decided in the Supreme Court yesterday:

10,851. Samuel Cartwright vs. George Yaw. Allen C. C. Affirmed. Franklin, C. 11,284. John W. Sheemaker vs. Milton J. Smith. Monroe C. C. Affirmed. Howk, J. 11,364, Bedford and Bloomfield Railroad Company vs. Solomon Rainbolt. Owen C. C.
Affirmed. Mitchell, J.
11,707. The State for the use of Leander
Bringham vs. James K. Turvey et al. Ben-

ton C. C. Affirmed. Black, C. 11,748. Henry Dippel et al. vs. George J. Schickentanz, administrator. Marion C. C. Affirmed. Colerick, C.

,884. Lucy Morehouse et al. vs. John W. Heath. Tippecanoe C. C. Affirmed. Best C.

11,926. Robert Overton vs Amos Rodgers. Washington C. C. Affirmed. Bicknell, C. 11,271. A. C. Golden vs. J. Stut Neal. Marion S. C. Petition for rehearing overruled. Franklin, C. 11,477. Shelbyville and Brandywine Turn-

pike Company vs. William F. Green. Shelby C. C. Petition for rehearing overraled. 11,408. Nordyke, Marmon & Co. vs. Samuel Van Sant. Marion S. C. Petition for rehearing overruled.

12,025. Joseph Balle et al. vs. A. Lammerse. Tippecance C. C. Certiorari grante i.

Mexican War Veterans, The twelfth annual meeting of the Indiana veterans of the Mexican War will be held in this city on Wednesday, February 18, at 11 a. m. in the Supreme Court Room, corner of Washington and Tennessee streets. A full attendance is desired, as business of importance will come before the meeting. Papers throughout the State will please copy.

M. D. Manson, President. L. B. SULLIVAN, Secretary.

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Pittsburg Sets a Good Example. PITTSBURG, Jan. 23,-The Pittsburg Clearing House Association has agreed to allow the Pittsburg Postoffice to clear money orders through one of the banks in the association. The system goes into operation on Monday.

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